

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No.: 5527

**Gorte, *et al.***

Serial No.: 10/053,085

Group Art Unit: 1795

Filing Date: November 9, 2001

Examiner: Wang, Eugenia

For: **USE OF SULFUR-CONTAINING FUELS FOR DIRECT OXIDATION  
FUEL CELLS**

Electronically Filed : January 5, 2010

Mail Stop – Appeal Brief Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO DECEMBER 28, 2009  
NOTICE OF NON-COMPLIANT APPEAL BRIEF**

Appellants hereby respond to the Notice of Non-Compliant Appeal Brief dated December 28, 2009.

Ms. Tracey M. Young (phone: 571-272-1644) of the patent office advised appellants via voicemail message on December 30, 2009 that Appellants could resolve all issues raised in the December 28, 2009 notice by submitting a claim listing that identifies the status of all claims in the application. Pursuant to Ms. Young's guidance, Appellants provide the following claim listing:

3. STATUS OF CLAIMS

Pending:	Claims 2-19, 21-30, 55-56, 62-64
Rejected:	Claims 2-19, 21-30, 55-56, 62-64
Objected to:	None
Allowed:	None
Withdrawn:	None
Appealed:	Claims 2-19, 21-30, 55-56, 62-64
Appeal Withdrawn:	None
Canceled:	1, 20, 31-54, 57-61, 65-68

Should the patent office require any additional information, the undersigned attorney may be reached at the telephone number provided.

Date: January 5, 2010

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